

JOHN L. BURRIS (#69888)
ADANTE D. POINTER (#236229)
Law Offices of John Burris
Airport Corporate Center
7677 Oakport Street, Ste. 1120
Oakland, California 94621
Telephone Number: (510) 839-5200
Facsimile Number: (510) 839-3882
E-Mail Address: john.burris@johnburrislaw.com

Attorneys for Plaintiff, MORRIS EMANUEL

RICHARD DOYLE, City Attorney (#88625)
NORA FRIMANN, Chief Trial Attorney (#93249)
MICHAEL J. DODSON, Sr. Deputy City Attorney (#159743)
Office of the City Attorney
200 East Santa Clara Street
San José, California 95113-1905
Telephone Number: (408) 535-1900
Facsimile Number: (408) 998-3131
E-Mail Address: cao.main@sanjoseca.gov

E-FILED - 6/23/09

Attorneys for Defendants, CITY OF SAN JOSE and
OFFICER CONSTANTIN

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

MORRIS EMANUEL,

Plaintiff,

v.

CITY OF SAN JOSE, et al.,

Defendants.

Case Number: C08-05321 RMW

**STIPULATION AND []
ORDER VACATING TRIAL DATE**

The undersigned, counsel for Plaintiff and Defendants herein, hereby stipulate that
the trial date in this matter, June 28, 2010, be vacated and that a new trial date be set
either in late July, 2010.

/////

1 As good cause for this request, counsel for Defendants represents that he had
2 inadvertently agreed to a trial date of June 28, 2010 despite having made vacation plans
3 involving multiple family members during the time of the scheduled trial. Counsel have
4 met and conferred and have agreed to request that the Court vacate the June 28, 2010
5 trial date and that a new trial date be set in late July, 2010.

6 **IT IS SO STIPULATED.**

7
8 Respectfully submitted,

9
10 Dated: June 15, 2009

By: /S/
ADANTE D. POINTER
Attorney at Law

11
12 Attorney for Plaintiff, MORRIS EMANUEL

13
14 Dated: June 15, 2009

RICHARD DOYLE, City Attorney

15
16 By: /S/
MICHAEL J. DODSON
Sr. Deputy City Attorney

17
18 Attorney for Defendants, CITY OF SAN
JOSE AND OFFICER CONSTANTIN

19 /////

20 /////

21 /////

22 /////

23 /////

24 /////

25 /////

26 /////

ORDER

Pursuant to the Stipulation of the parties, and good cause appearing, the June 28, 2010 trial date of this action is hereby vacated. The Court sets a new jury trial date for July 26, 2010; a new Pretrial Conference for July 15, 2010; and orders the Joint Pretrial Conference Statements be due no later than July 9, 2010. All other dates set by the Court in the Civil Minute Order filed on April 17, 2009 shall remain.

Dated: 6/23/09



HONORABLE RONALD M. WHITE
United States District Court Judge